

Sixth Appellate District

San Jose, California

MONDAY, SEPTEMBER 22, 1997

H016581 PEOPLE v. MORA

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed September 22, 1997

H016612 PEOPLE v. WOZYNSKI

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed September 22, 1997

H015375 REAL ESTATE CENTER OF SANTA CRUZ, INC. v. TRASK

The judgment is modified by striking the word "exclusive" from the final paragraph. As modified the judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)
Filed September 22, 1997

H015921 PEOPLE v. JESSIE FAUSTO

The sentence is vacated to allow the trial court to exercise, on its own motion, its discretion under section 1385 to strike prior convictions in the furtherance of justice. The judgment of conviction is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed September 22, 1997

H016254 PEOPLE v. JASON S., A MINOR

(Filed order modifying opinion.) There is no change in the judgment. (not published)
(Premo, Acting P.J.; Elia, J.; Wunderlich, J.)
Filed September 22, 1997

H014909 PEOPLE v. MCCUISTON

By the Court*:

Appellant's petition for rehearing is denied.
Dated September 22, 1997 Cottle, P.J.
*Before Cottle, P.J., and Bamattre-Manoukian, J.

TUESDAY, SEPTEMBER 23, 1997

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and Nancy Olea, Deputy Clerk.

H015932 PEOPLE v. ROCHA, SR.

Cause called and argued by Anastasia Steinberg appearing for appellant and by Christopher W. Grove, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

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H015607 PEOPLE v. ABENDANO

Cause called and argued by Walter K. Pyle appearing for appellant and by Gregg W. Lowder, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H015993 IN RE ALVIN H.; PEOPLE v. ALVIN H.

Cause called and argued by Janice Brickley appearing for appellant and by Christopher J. Wei, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016238 PEOPLE v. JACKMAN

Cause called and argued by Michael Thorman appearing for appellant and by Catherine A. Rivlin, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016244 BOURDET v. MUNSON

Cause called and argued by Jeffrey Parish appearing for appellant and by William Goines appearing for respondent. Cause ordered submitted.

Court recesses until the 1:30 p.m. calendar.

H015760 PEOPLE v. GILBERT V., A MINOR

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed September 23, 1997

H016014 PEOPLE v. AARON C. STUART

(Filed order modifying opinion.) This modification does not affect the judgment. (not published)
(Cottle, P.J.; Bamattre-Manoukian, J.; Mihara, J.)
Filed September 23, 1997

H016134 DEL ROSARIO v. WHITE

The judgment is affirmed. White shall recover his costs on appeal. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed September 23, 1997

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.
Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and David T. Clark, Deputy Clerk.

H016146 PEOPLE v. GARIBAY

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Cause called and argued by Jonathan McCrone appearing for appellant and by Mia Anna Mazza, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

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H015133 PEOPLE v. MATHEWS

Cause called and argued by A. J. Kutchins appearing for appellant and by Rene Chacon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016006 ELLER v. CALIFORNIA CAPITAL INSURANCE CO. et al.,

Cause called and argued by Stephen A. Lankes appearing for appellant and by Ronald J. Cook appearing for respondents. Cause ordered submitted.

H015142 STATE FARM v. CENTURY INDEMNITY

H015728 STATE FARM v. CENTURY INDEMNITY

Cause called and argued by Martin Checov appearing for appellant and by Todd Roberts appearing for respondent. Cause ordered submitted.

Court adjourned.

H016123 PEOPLE v. SCHMIDT

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed September 23, 1997

WEDNESDAY, SEPTEMBER 24, 1997

H015812 PEOPLE v. NUNO

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed September 24, 1997

H016159 PEOPLE v. GERARDO Z.

By the Court*:

Appellant's petition for rehearing is denied.
Dated September 24, 1997 Cottle, P.J.
*Before Cottle, P.J., Premo, J., and Bamattre-Manoukian, J.,

H016201 PEOPLE v. FRANCO

The order of probation is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed September 24, 1997

H015835 CENTURY 21 SHOWCASE REALTY, et al. v. DOUGHERTY, et al.;
NEWMAN, et al.

We affirm the trial court's order vacating the arbitration award. We reverse the trial court's order imposing sanctions on Seller's. (not published)
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

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Wednesday, September 24, 1997 (continued)

H016299 PEOPLE v. CARRITHERS

The order appealed from, made and entered October 23, 1996,
is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed September 24, 1997

H015280 LERWILL v. DORMOY

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)
Filed September 24, 1997

THURSDAY, SEPTEMBER 25, 1997

H016068 KIM v. CITY OF LOS ALTOS

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)
Filed September 25, 1997

H013638 CALIFORNIANS FOR POPULATION STABILATION v. HEWLETT-
PACKARD COMPANY

H014028 CALIFORNIANS FOR POPULATION STABILATION v. TATA SONS
LIMITED, et al.

H014384 CALIFORNIANS FOR POPULATION STABLIZATION v. TATA SONS
LIMITED, et al.

The judgments and order denying Tata's motion for attorney's
fees are affirmed. The parties shall bear their own costs on
appeal. (published)
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)
Filed September 25, 1997

H016079 PEOPLE v. WICHMANN

The abstract of judgment is ordered modified to reflect that
count 1 was stayed pursuant to section 654. In all other
respects, the judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed September 25, 1997

H014572 CITY OF SAN JOSE v. CARLSON, As County Assessor, etc.

The judgment is affirmed. (published)
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed September 25, 1997

FRIDAY, SEPTEMBER 26, 1997

(no minute approved orders)